IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.
SUIT No.180 of 1988.

Asian Paints (I) Ltd. Plaintiff.

Vs.

Shah & Co. Defendant.

Ms. Anita Pujary i/b Pathare Dhru & Co. for the Plaintiff.

Mr. S. A. Oak i/b P. G. Lad for the Defendant.

CORAM: D.G. KARNIK,J.
DATED: 23RD JANUARY, 2007.

P.C.:-

1. Heard the learned counsel for the plaintiff. The learned counsel for the defendant reports no instructions. Despite order dated 9th March, 1990 directing the defendants to file their written statement within eight weeks, the defendants have not filed their written statement. In the circumstances, averments made in the plaint are deemed to be admitted.

2. The suit is a simple suit for recovery of money. Considering the nature of the suit, I consider it appropriate to pass a decree under Order VIII Rule 10 of the Civil Procedure Code. Accordingly the suit of the plaintiff is decreed as prayed in terms or

prayer clause (a) with costs.

[D.G.KARNIK, J]